

2019 Eastern District of Texas Bench Bar Conference Schedule

Sunday, September 22

6:00 PM – Bench Bar Conference Leadership Muster. (By Invitation)

Monday, September 23

8:30 AM – Breakfast Panel. Looking Behind the Pine Curtain. Secrets from the Newest Chambers of EDTX, Volume 1. Clyde Siebman, Siebman Forrest Burg & Smith, LLP (Facilitator) with Judge J. Campbell Barker, E.D. Tex. & Judge Sean Jordan. E.D. Tex.

Join This Interesting Panel Discussion & Give Judge Barker and Judge Jordan an East Texas Send-Off to Their Phase One Orientation Seminar for Newly Appointed District Judges a/k/a “Baby Judges School.”

9:45 AM – Breakfast Concludes. Social Activities Begin.

10:15 AM – Shooting at Frisco Gun Range – From Marksmen to First Time Shooters – From Handguns to Full-Auto Experience - Darby Doan, Haltom & Doan (Facilitator).

Event Sponsor – Haltom & Doan

10:15 AM – Golf at Gleneagles – Chip Molster, The Law Offices of Charles B. Molster, III, PLLC (Facilitator).

Event Sponsor - The Law Offices of Charles B. Molster, III, PLLC

10:15 AM – Tour of Toyota Headquarters – Limited Availability. Rosalyn Mitchell, Managing Counsel, Toyota Motor North America, Inc. (Facilitator).

12:30 PM – WLED Membership Luncheon – Welcoming Remarks by WLED President Elizabeth Forrest, Siebman Forrest Burg & Smith, LLP; Vice-President Evelyn Chen, Ericsson and Secretary Amanda Abraham, The Roth Law Firm.

Developing Relationships with In-House Counsel---An Interactive How-To Discussion Including the Ethics of Solicitation. Ophelia Camina, Susman Godfrey (Facilitator); Monica M. Brown, Assistant General Counsel, Lennox International, Inc.; Sarah Decker, Global Head of Litigation, Investigations, Ethics and Compliance, McAfee; Lindsay Hedrick, Jones Day; Laura J. O’Rourke, Managing Counsel, Toyota Legal One, Toyota Motor North America, Inc. and Britnee Reamy, Senior Counsel, Texas Instruments. (.5 Hours Ethics)

Event Sponsor – Greenberg Traurig, LLP; Kirkland & Ellis, LLP; Toyota

2:00 PM - Opening of the Conference - Clyde Siebman, Eastern District of Texas Bench Bar Conference Chairman; Charles Bundren, Eastern District of Texas Bar Association President; Judge Rodney Gilstrap, Chief Judge, E.D. Tex. and James Brookshire, Executive Director, Federal Circuit Bar Association.

Conference Session Chair – Charles Bundren, William Charles Bundren & Associates Law Group.

2:15 PM – Where There’s A Wrong, There’s A Remedy. Looking for Remedies in All the Wrong Places – From Patent Infringement to Trade Secret Misappropriation. Chris Kennerly, Paul Hastings, LLP (Facilitator); Thomas Britven, ASQ Consulting; Rob Maness, Charles River Associates; Phillip Philbin, Haynes and Boone, LLP; Alan Ratliff, StoneTurn Group, LLP and Shirley Webster, Ocean Tomo.

3:00 PM – Looking Down from Above. What Mere Mortals Could Do Better as Seen From on High. Wesley Hill, Ward, Smith & Hill & Michael Smith, Siebman Forrest Burg & Smith, LLP (Co-Facilitators); Chief Judge Sharon Prost, CAFC; Senior Judge William Bryson, CAFC; Chief Judge Rodney Gilstrap, E.D. Tex.; Chief Judge Leonard Stark, D. Del. (.5 Ethics)

4:00 PM – The Judges’ Lawyers. Learning from Law Clerks Squawk Box Style. Boone Baxter, Heim, Payne & Chorush, L.L.P. (Facilitator); Matthew Wood, Marshall; Christian Chessman, Marshall; Monica Litle, Sherman; Aileen Durrett, Career Law Clerk, Plano; Jenna Gillingham, Tyler; Matt Chiarizio, Tyler; William B. “Wills” Collier, Jr., Texarkana; Ryan Swink, Beaumont and Victoria “Tori” Bliss, N.D. Tex. - Dallas. (.3 Hours Ethics)

5:00 PM – USPTO/PTAB Agglomeration. From Updated Trial Practice Guides and SOPs to Gender Studies on Female Inventors, A Discussion of An Agency on the Move. Hope Shimabuku, Regional Director, Texas USPTO (Facilitator); Chief Judge Scott Boalick, Patent Trial and Appeal Board and Sarah Harris, General Counsel, USPTO. (.2 Hours Ethics)

5:50 PM – CLE Adjourns for the Day. (4.5 Hours of CLE/1.5 Hours Ethics – Day 1)

5:50 PM – Opening Reception Sponsored by StoneTurn Group

7:00 PM – Former Law Clerk Association Membership Reception and Dinner.

7:00 PM – Buses Depart for Judges and Bar Leaders Dinner (By Invitation).

10:00 PM – Coffee and Cordials with EDTX’s Newest Article III Judges in the Presidential Suite.

10:30 PM - Presidential Suite Remains Open Until Midnight.

Tuesday, September 24

7:30 AM – The Texas Breakfast Opens (Full Hot Breakfast with Texas Cowboy Favorites).

Event Sponsor – Findlay Craft, P.C.

Main Track Session Chair – Adam Allgood, Fisch Sigler, LLP.

Non-Patent Track Session Chair – L. Kirstine Rogers, Steckler Gresham Cochran PLLC.

8:45 AM – Exploring Best Practices for SEP/FRAND Litigation. Striking the Balance Between What’s Yours, Mine & Ours. A Sedona Conference Presentation. Matt Powers, Sedona WG10 Chair and WG09 Vice-Chair, Tensegrity (Facilitator); Chief Judge Rodney Gilstrap, E.D.Tex.; Senior Judge James Robart, W.D. Wash.; Eric Hutz, Sedona WG 09 Chair, Reed Smith; Steven Geiszler, Huawei and Rick Stark, Cravath, Swaine & Moore LLP.

Non-Patent Track – “Uh. Houston, We’ve Had A Problem” – Criminal Law for Civil Lawyers. Elvin Smith, III, Law Office of Elvin Smith (Facilitator); Josh Russ, AUSA, Civil Chief, E.D. Tex; Shamoil Shipchandler, Jones Day, Former Regional Head of U.S. Securities and Exchange Commission; Nathaniel Kummerfeld, AUSA E.D.Tex. (.5 Ethics)

9:35 AM – Anti-Trust Implications on the Enforcement of Patents. Rock-Paper-Scissors, When Can a Statutory Prohibition Trump a Constitutionally Granted Monopoly? Max Ciccarelli, Thompson & Knight (Facilitator); Brian Pandya, Deputy Associate Attorney General, U.S. Department of Justice; Eric Albritton, Nelson, Bumgardner Albritton P.C.; Ashley Bass, Covington & Burling, LLP; Jay Jurata, Orrick Herrington & Sutcliffe LLP and Gabrielle LaHatte, Latham & Watkins, LLP.

Non-Patent Track – Magic Keys to Representing Your Client in Criminal Cases in E.D. Tex. Ernest Gonzales, AUSA, Organized Crime Drug Enforcement Task Force. E.D. Tex. (Facilitator); Denise Benson, Public Defender; Rafael De La Garza, The De La Garza Law Firm, P.C.; Maureen Smith, AUSA, E.D. Tex. and James Whalen, Whalen Law Office.

10:25 AM - Refreshment Break.

10:45 AM - Does Section 101 Need Fixing? Who Should Fix It? What Else Needs Fixed? A Discussion of Change In the Air. Wes Samples, Quinn Emanuel Urquhart & Sullivan, LLP (Facilitator); Philip Warrick, Counsel to Senator Chris Coons, Ranking Member on Intellectual Property, U.S. Senate Judiciary Committee; Judge Richard Linn, CAFC; Judge Roy Payne, E. D. Tex.; James A. Tripp Fussell III, Mayer Brown and Stephen Smith, Cooley LLP.

Non-Patent Track – Qui Tam/False Claims Act: He Who Sues for the King ...as Well as For Himself --- The Modern-Day Privateers. Judge Jeremy Kernodle, E.D. Tex. (Facilitator); Judge Marcia Crone, E.D. Tex.; James Gillingham, AUSA, E.D.Tex.; Karen Glassman, Health & Human Services Office of Inspector General; Lisa Noller, Foley & Lardner; Amy Easton, Phillips & Cohen and Michael Young, Sanders, Motley, Young & Gallardo.

11:35 AM – A Fireside Chat with Members of the Federal Circuit: George Pappas, Covington & Burling LLP (Facilitator); Chief Judge Sharon Prost, CAFC; Judge Richard Linn, CAFC; Judge Richard Taranto, CAFC and Senior Judge William Bryson, CAFC.

Non-Patent Track – “Hello. I Think Our Customer’s Bank-Account Records Were Just Stolen” - Cyber-Security and How the Lawyer Should Respond Including Relevant Professional Responsibilities. Camelia Lopez, AUSA, Senior Legal Counsel and Cyber Chief, E.D.Tex. (Facilitator); Trisha Anderson, Covington & Burling LLP; Bruce Sostek, Thompson & Knight and Steven Williams, Munsch Hardt. (.3 Ethics)

12:15 PM - Non-Patent Track - Exercising Prosecutorial Discretion. Practical and Ethical Parameters and Priorities for Doing Justice from Cyber Crimes and Trade Secrets to Fraud and Other White-Collar Wrongs. Joseph Brown, United States Attorney, E.D. Tex. (Facilitator); Heather Rattan, First Assistant United States Attorney E.D. Tex.; Brit Featherston, Executive Assistant U.S. Attorney, E.D. Tex. and Arnold Spencer, General Counsel, Coinsource. (.2 Ethics)

Joint Programming – Both Tracks

Conference Session Chair – Melissa R. Smith, Gillam & Smith LLP.

12:45 PM – Lunch Presentation: Social Media. Is There Garbage or Valuable Evidence in Those Posts, Chats and Tweets? Or Something More Sinister? Marisa Miller, AUSA, E.D. Tex.

Event Sponsors – ASQ Consulting; Carter Arnett

2:00 PM – Demonstratives: A Scientific Approach Including Concepts of Visual and Auditory Learning – Britta Erin Stanton, Focal Point (Facilitator); Chrysta Castaneda, The Castaneda Firm; Jennifer Truelove, McKool Smith; Judge Caroline Craven, E.D. Tex.; Chris Schwegmann, Lynn Pinker Cox and Hurst, LLP; Ranga Sudarshan, Covington & Burling, LLP and Clint Townsend, PhD., The Focal Point

2:45 PM – Are Jury Trials Homogeneous? The Practices, Customs and Predilections of Different Venues Including Attitudes Toward Summary Judgment and JMOL. Senior District Judge Ron Clark, E.D. Tex. (Facilitator); Judge Richard Andrews, D. Del.; Judge Cathy Bencivengo, S.D.CA.; Chief Judge Nannette Jolivette Brown, E.D.LA.; Chief Judge Barbara Lynn, N.D. Tex.; Judge Amos Mazzant, E.D. Tex. and Judge Lee Yeakel, W.D. Tex.

3:30 PM – Refreshment Break.

3:50 PM – Looking Behind the Pine Curtain. Secrets from the Newest Chambers of EDTX, Volume 2. Clyde Siebman, Siebman Forrest Burg & Smith, LLP (Facilitator) with Judge Jeremy Kernodle, E.D. Tex. & Judge Michael Truncale, E.D. Tex.

4:35 PM – Insights of Former E.D. Tex. Jurors. Going to the Horse’s Mouth. Interviews with Actual Jurors from Closed Cases. Janis Clements, Greenberg Traurig; Elizabeth Forrest, Siebman Forrest Burg & Smith, LLP & Andrea Williams McCoy, Siebman Forrest Burg & Smith, LLP Followed by Interactive Discussion Including Chief Judge Rodney Gilstrap, E.D. Tex.; Judge Nicole Mitchell, E.D. Tex.; Jeffrey Bragalone, Bragalone Conroy, PC; Elizabeth “Betty” DeRieux, Capshaw DeRieux, LLP and Geoff Culbertson, Patton Tidwell & Culbertson, LLP.

5:45 PM – CLE Adjourns for the Day. (8 Hours of CLE - Day 2)

6:00 PM – Buses Available for Loading for 6:40 PM Sharp Departure to AT&T Cowboy Stadium.

Note: Check in for the Texas Judicial Dinner Will Occur at Loading of Buses

6:40 PM - Buses Promptly Depart Hotel for AT&T Cowboy Stadium.

7:15 PM – The Texas Dinner in Honor of the Judiciary and the Seventh Amendment – AT&T Cowboy Stadium. Reception and pre-dinner self-guided tours of stadium. Photographs on the Fifty Yard Line Star.

8:15 PM - Call to Order - Master of Ceremonies Scott Murray, Emmy Award-Winning Sportscaster and Broadcast Journalist; National Anthem & Patriotic Cowboy Music Monte Warden, Lead Vocalist & Song Writer, The Wagoneers

8:30 PM - Dinner & Conversation

9:00 PM – Keynote Remarks from the Honorable Dr. Nestor Humberto Martinez, Former Attorney General, Republic of Colombia

9:20 PM – Special Agent Javier Pena, Retired, DEA & Special Agent Stephen Murphy, Retired, DEA, Tell Their Real-Life Stories Behind the Netflix Television Series Narcos, Which Chronicles the International Cocaine Trade Inside Colombia and the Taking Down of Pablo Escobar, as We Highlight the Role Being Played by EDTX in Fighting the Colombian Cocaine Trade Today.

Special Presentation by the United States Attorney's Office EDTX.

Keynote Presentations Facilitated by Brit Featherston, Executive Assistant U.S. Attorney, E.D. Tex

10:15 PM – Annual Toast in Honor of the 7th Amendment - EDTX Bar President Charles Bundren & Bench Bar Chairman Clyde Siebman

10:30 PM – First Bus Departs for Hotel When Full.

11:00 PM - Last Bus Departs for Hotel.

Presidential Suite Opens until Midnight Thirty for Night Caps.

Wednesday, September 25

7:00 AM – 8:30 AM – Texas Buffet Breakfast, South of the Border Style – All Conferees

Event Sponsor – Baker Botts

7:30 AM – Judges Only Breakfast with EDTX Local Rules Advisory Committee

Non-Patent Track Session Chair – Lisa Flournoy, Flournoy & Flournoy

Main Track Session Chair – E. Glenn Thames, Jr., Potter Minton PC.

8:30 AM – General Counsel Panel. What Annoys and What Brings Joy? Leading General Counsel Address Topics Ranging from Law Firms to Courts. Hilda Galvan, Jones Day (Facilitator); Rachel Brand, Executive Vice President of Global Governance, Chief Legal Officer, and Corporate Secretary, Walmart Corporation; Lanesha Minnix, Senior Vice President & Chief Legal Officer, Flowserve Corporation, Sandra Phillips Rogers, Group Vice President, General Counsel, Chief Legal Officer and Chief Diversity Officer, Toyota North America, Inc. and Hiram Sasser, General Counsel, First Liberty Institute

Non-Patent Track – Digital Millennium Copyright Act. Title 17 U.S.C. 1201 et seq. Civil Remedies to Criminal Penalties. What’s the Worst Thing That Can Happen if You “Crop” the © From an Internet Photo? Alexandra McNicholas Bernier, Career Law to Judge Keith Giblin E.D. Tex. (Facilitator); Camelia Lopez, AUSA, Senior Legal Counsel and Cyber Chief, E.D.Tex; Decker Cammack, Whitaker, Chalk, Swindle & Schwartz LLP and Amanda Abraham, The Roth Law Firm.

9:20 AM – E-Discovery from Preservation to Proportionality. How to Keep the Cost from Swallowing the Right to Trial by Jury? Rosalyn Mitchell, Managing Counsel, Toyota Motor North America, Inc. (Facilitator); Judge Kimberly Priest Johnson, E.D. Tex.; Judge Andrew Peck, S.D.N.Y.; Eric Buether, Buether Joe & Carpenter, LLC.

Non- Patent Track – A View from the Top. Judges Reflect on Criminal Law Best and Worst Practices. Ryan Gertz, The Gertz Law Firm (Facilitator); Judge Marcia Crone, E.D. Tex.; Senior Judge Richard Schell, E.D. Tex., Judge Christine Nowak, E.D. Tex.; Judge Keith Giblin, E.D. Tex. & Judge Zack Hawthorn, E.D. Tex.

10:10 AM - The Impact of People, Processes & Technology on E-Discovery. Using Technology to Sort Through the Haystack. Walter Lackey, Findlay Craft PC, (Facilitator); Joey Seeber, CEO of Level 2 Legal Solutions; Dave Lewis, Chief Data Scientist, Brainspace; Dave Carnes, Attorney and Chief Revenue Officer, Casepoint; David Thankachan, Director of Practice Technology, Blank Rome LLP and Jill Bindler, Gray Reed & McGraw.

Non-Patent Track – Fundamentals of Trademark Infringement as Punctuated in Buc-ee’s Litigation. Is That Big Beaver a Bully, or Just Building a Dam Around Its Lawful IP Rights? Donean Surratt, Orgain, Bell & Tucker, LLP (Facilitator); H. Tracy Richardson, III, Deputy General Counsel & Head of Litigation, Buc-ee’s Ltd.; Stephanie Barnes, Attorney at Law; Charles Hanor, Hanor Law Firm & Professor of Law, St. Mary’s University School of Law; Jeannie Heffernan, Kirkland & Ellis, LLP and Kebharu Smith, Senior Trial Attorney, DOJ Criminal Division, Computer Crime and Intellectual Property Section.

10:55 AM - Refreshment Break

Joint Programming – Both Tracks

Conference Session Chair - Jennifer Ainsworth, Wilson, Robertson & Cornelius, PC.

11:10 AM – Best Practices for Getting to Yes. Mediation Strategies and Tactics Through the Eyes of Those Who Know. Richard “Rocky” Schwartz, Whitaker Chalk Swindle & Schwartz PLLC (Facilitator); Judge Christine Nowak, E.D. Tex.; Judge David Folsom, Retired, E.D. Tex.; Judge Jose Linares, Retired, D.N.J and Christopher Nolland, Offices of Christopher Nolland

11:55 PM - If I Could Put Time in a Bottle & Other Innovative Things. A Discussion of Timed Trials, Mini-Openings, Interim Arguments, Striking Through the Panel and Jurors Who Ask Questions. Mike Jones, Potter Minton PC (Facilitator); Chief Judge Rodney Gilstrap, E.D. Tex.; Judge Amos Mazzant, III, E.D. Tex.; Judge William “Trey” Schroeder, III, E.D. Tex.; Jennifer Doan, Haltom & Doan and Harry “Gil” Gillam, Gillam & Smith.

12:45 PM – Lunch Program. What Do You Do When You Find Out the Key Piece of Evidence Used to Win at Trial Was Fabricated—ahh Totally Made Up? (LBDS Holding Company, LLC v. ISOL Technology, Inc. 6:11-CV-428) The Story and Ethical Practice Pointers as Told by Those Who Actually Lived It. James Walker, Cole Schotz (Facilitator/Narrator/Panelist); Sanford Warren, Warren Rhoades and Chad Everingham, Akin Gump. (1 Hour Ethics)

2:00 PM - Presentation of the Hannah Award, Charles Bundren, President of E.D. Tex. Bar Association, William Charles Bundren & Associates; Judge Judith Guthrie, Retired, E.D. Tex.; Judge David Folsom, Retired, E.D. Tex.

Event Sponsors – Cole Schotz P.C.

2:15 PM – International Issues: In-Bound Focus. What Should Foreign Corporations Expect in East Texas Federal Courts? Kat Li, McKool Smith (Facilitator); Judge John Love, E.D. Tex., Judge Roy Payne, E.D. Tex.; Evelyn Chen, Senior Counsel, Ericsson; Daniel Papst, Papst Licensing, Germany.

2:45 PM – International Issues: Out-Bound Focus. What Should U.S. Parties Expect When Effectuating Service, Obtaining Discovery and Collecting Judgments Off Shore? Alan Fisch, Fisch Sigler, LLP (Facilitator/Panelist); Otto Licks, Licks Attorneys, Brazil; Lan Li, AnJie Law Firm, Shanghai, China and Kfir B. Levy, Mayer Brown.

3:15 PM – Defining and Protecting Corporate Crown Jewels from Civil Litigation to Criminal Prosecution: A Discussion of Trade Secrets Litigation/Prosecution in E.D. Tex. and Beyond. Heather Rattan, First Assistant AUSA, E.D. Tex. (Facilitator/Panelist); Judge Robert “Trey” Schroeder, E.D. Tex.; Natalie Bennett, Morgan Lewis & Bockius LLP; Joe Cleveland, Brackett & Ellis, P.C.; Andrew McCabe, Munck Wilson Mandala, LLP; Brian Nash, Pillsbury Winthrop Shaw Pittman LLP and Kebharu Smith, Senior Trial Attorney, DOJ Criminal Division, Computer Crime and Intellectual Property Section.

4:00 PM - Conference Concludes (6.75 Hours of CLE/1 Hour Ethics - Day 3)

Joint Meeting of the Texas' Linn Inn Alliance (Texas IP Inns of Court) (Registration Required Through Your Linn Alliance IP Inn of Court)

5:00 PM - Opening Remarks from the Presidents of the Inns of Court Including Thoughts on Best Inn Practices for Reaching Young Lawyers.

5:15 PM - Remarks from Judge Richard Linn, CAFC on Professionalism, State of the Alliance and Best Inn Practices.

(1 hour of CLE/1 Hour Ethics)

6:00 PM - Reception and Dinner.

8:00 PM - Meeting Adjourns.